

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SACV 09-01362-CJC(RNBx)

Date: May 6, 2010

Title: NOEL LABASTIDA ET AL. V. BANK OF AMERICA ET AL.

PRESENT:

HONORABLE CORMAC J. CARNEY, UNITED STATES DISTRICT JUDGE

Michelle Urie
Deputy Clerk

N/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT:

None Present

None Present

**PROCEEDINGS: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY THIS
MATTER SHOULD NOT BE REMANDED TO STATE COURT FOR LACK OF
SUBJECT MATTER JURISDICTION**

Plaintiffs Noel and Gina Labastida brought this action against Defendants Bank of America Corporation, JPMorgan Chase Bank, Reconstrust Company, and Merscorp, Inc. (collectively “Defendants”) for alleged violations of state laws relating to their mortgage loan. Defendants removed to federal court on the basis of federal question jurisdiction. The Labastidas allege only state law causes of action. The Court therefore orders the parties to show cause why this case should not be remanded to state court for lack of subject matter jurisdiction. Any opposition to this order to show cause shall be filed on or before May 24, 2010. Any reply shall be filed on or before June 7, 2010. Upon the filing of reply, if any, the matter will stand submitted. The hearings on the motions to dismiss set for May 10 and 17, 2010, at 1:30 p.m. are vacated and will be rescheduled, if necessary, after the Court has determined whether the case should be remanded to state court.

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